

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Nakeen Kiry Sanders**

**Docket No. 5:16-CR-237-1BR**

**Petition for Action on Supervised Release**

COMES NOW Timothy L. Gupton, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Nakeen Kiry Sanders, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possession With Intent to Distribute 28 Grams or More of Cocaine Base (Crack) and a Quantity of Heroin, was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on June 5, 2017, to the custody of the Bureau of Prisons for a term of 44 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 48 months.

Nakeen Kiry Sanders was released from custody on October 10, 2018, at which time the term of supervised release commenced. On November 7, 2018, a Violation Report was filed advising the defendant tested positive for marijuana on October 22, 2018. Based on his recent enrollment in the Surprise Urinalysis Program (SUP) and referral for substance abuse counseling, the violation was held in abeyance with no court action taken. Furthermore, on December 10, 2018, a Violation Report was filed advising that on December 4, 2018, in Nash County, North Carolina, Sanders was charged with Speeding and Reckless Driving (18CR18CR709281) and Failure to Wear a Seat Belt and Driving While License Revoked (18CR709282). Because the charges are still pending, it was recommended that the violations be held in abeyance pending disposition of the state charges.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On December 4, 2018, Sanders tested positive for marijuana. When confronted with the urinalysis results, the defendant admitted to using marijuana on Thanksgiving Day, and signed an Admission of Use Form. Based on the defendant's continued use of marijuana and failure to comply with the terms and conditions of supervised release, a 90-day period of Location Monitoring (Curfew) is recommended. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 90 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Michael C. Brittain  
Michael C. Brittain  
Supervising U.S. Probation Officer

/s/ Timothy L. Gupton  
Timothy L. Gupton  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8686  
Executed On: December 17, 2018

**ORDER OF THE COURT**

Considered and ordered this 18 day of December, 2018, and ordered filed and  
made a part of the records in the above case.



W. Earl Britt  
Senior U.S. District Judge